

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	Civil Action No.: 0:14-cv-0439-CMC-TER
)	
Plaintiff,)	
)	
-vs-)	
)	
)	REPORT AND RECOMMENDATION
TNT PROPANE, INC., T-N-T OF YORK)	
COUNTY, INC., TNT TRUCKING OF)	
THE CAROLINAS, INC., and TM)	
TRUCKING OF THE CAROLINAS, INC.)	
)	
Defendants.)	
)	

The Equal Employment Opportunity Commission (EEOC) brings this action on behalf of Pamela Wallace and alleges that Wallace suffered a sexually hostile work environment and was constructively discharged from her employment with Defendants in violation of Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. § 2000(e) et seq. Presently before the court is Defendant TM Trucking of the Carolinas, Inc.'s (TM Trucking) Motion to Dismiss (Document # 11). All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(g), DSC. This report and recommendation is entered for review by the district judge. A hearing was held on the motion to dismiss, during which the undersigned allowed Plaintiff time to conduct discovery on the issues raised in the motion. Plaintiff subsequently filed its motion to amend the complaint, in which it seeks to cure the purported deficiencies in the complaint as raised in the motion to dismiss. For these reasons, it is recommended that Defendant TM Trucking of the Carolinas, Inc.'s (TM Trucking) Motion to Dismiss (Document # 11) be denied without prejudice.

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge

January 14, 2015
Florence, South Carolina